

**In the District Court of the United States
For the Southern District of Maryland**

Henry Saunders,
Petitioner

Case No.

PWG 18 CV 3222

v.

CAPITAL ONE BANK
Stephen Crawford, CFO
Respondents

COMPLAINT

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

NATURE OF ACTION

1. This is an action for damages brought by an individual Petitioner for Respondent's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq., (hereinafter "FDCPA"), which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.
2. Petitioner seeks to recover monetary damages for Respondent's violation of the FDCPA, and to have an Order or injunction issued by this Court preventing Respondent's from continuing its violative behaviors.

3. Service may be made upon Respondent's in any other district in which it may be found pursuant to 29 U.S.C. § 1132(e)(2).

JURISDICTION AND VENUE

4. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d), 28 U.S.C. § 1331, and 28 U.S.C. § 1337.
5. Venue is proper before this Court pursuant to 28 U.S.C. § 1391(b), where Respondent's transacts business in this district.
6. This matter is a Federal Question and is an enforcement action under 15 U.S.C. § 1692k, the private right of action statute of the FDCPA.
7. The FDCPA is the only law that the Petitioner relies on and it alone governs this enforcement action.
8. Take Judicial Notice that the language of this case will be the Plain Writing Act of 2010.
9. Take Judicial Notice that CAPITAL ONE BANK is not registered to do business in the State of Maryland. (See Exhibit A)
10. Take Judicial Notice that any exhaustive or protractive litigation will cause additional damages to be issued.

PARTIES

11. Henry Saunders ("Petitioner"), in propria persona, non pro se, a private civilian citizen of the United States, an Maryland national. Private member of and heir to its posterity by virtue of his

citizenship. The unincorporated union state of Maryland, without the United States. Residing within and upon a non-military occupied private estate and is the creditor.

12. CAPITAL ONE BANK ("Co-Respondent") is an entity, who at all relevant times was engaged, by use of the mails and telephone, in the business of attempting to collect a "debt" from the Petitioner, as defined by 15 U.S.C. § 1692a(5).
13. Stephen Crawford, CFO, ("Co-Respondent") is an agent of CAPITAL ONE BANK, who at all relevant times was engaged, by use of the mails and telephone, in the business of attempting to collect a "debt" from the Petitioner, as defined by 15 U.S.C. § 1692a(5).
14. Respondents are a "debt collector" as defined by 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

15. Petitioner obligated, or allegedly obligated, to pay a debt owed or due, or asserted to be owed or due a creditor other than Respondents.
16. Petitioner's obligation, or alleged obligation, owed or due, or asserted to be owed or due an alleged creditor other than the Respondents, arises from a transaction in which the money, property, insurance, or services that are the subject of the

transaction were incurred primarily for personal, family, or household purposes and Petitioner incurred the obligation, or alleged obligation, owed or due, or asserted to be owed or due a creditor other than the Respondents.

17. Co-Respondents use instrumentalities of interstate commerce or the mails in a business the principal purpose of which is the collection of debts, and/or regularly collects or attempts to collect, directly or indirectly, debts owed or due, or asserted to be owed or due another.
18. In connection with the collection of an alleged debt, CAPITAL ONE BANK, on or around August 15, 2018, sent a letter and bill to Petitioner, and at such time, claiming that Petitioner owed an alleged debt to CAPITAL ONE BANK.
19. Petitioner mailed Co-Respondents a 15 USC § 1692 FDCPA demand for verification and validation of an alleged debt. (Exhibit B)
20. Co-Respondents did not provide Petitioner with the requested verification and validation of the alleged debt as required by the FDCPA. (15 USC § 1692g).
21. Petitioner requested by affidavit that Notary Public for the State of Maryland, Oluwafemi Ijiti, mail under Notary Seal a follow-up communication to CAPITAL ONE BANK CFO and CAPITAL

ONE BANK with assessed damages again requesting a response.
(Exhibit C)

22. On September 21, 2018 (Co-Respondents) CAPITAL ONE BANK CFO and CAPITAL ONE BANK received the follow-up communication which requested a response within ten (10) days from receipt of aforesaid follow-up. If more time was needed to respond to Notary Public, Co-Respondents had to submit a written request to Notary Public within three (3) days of receiving aforesaid follow-up. (Exhibit C)
23. As of Friday, October 5, 2018, neither CAPITAL ONE BANK nor CAPITAL ONE BANK CFO has responded to Notary Public's Presentment on behalf of Petitioner, and as a result have acquiesced and stipulated to Petitioner's assessments as stated in said Presentment.
24. Notary Public issued to Petitioner a Certificate of Protest, verifying and acknowledging Co-Respondents intentional dishonor of Notary's Presentment. (Exhibit D)
25. Co-Respondents actions constitute conduct highly offensive to a reasonable person, and as a result of Co-Respondents violations of the FDCPA, Co-Respondents are liable to Petitioner for Petitioners actual damages, statutory damages, exemplary damages, and costs and attorney's fees.

COUNT I—FDCPA

26. Petitioner repeats and re-alleges each and every allegation contained above.
27. Co-Respondents aforementioned conduct violated one or more provisions of the FD CPA.

WHEREFORE, Petitioner moves for relief and judgment, as follows:

- a) Adjudging that Co-Respondents violated the FD CPA;
- b) Affirming Notary Public's Certificate of Protest against Co-Respondents
- c) Awarding Petitioner statutory damages, pursuant to 15 U.S.C. § 1692k, in the amount of \$3,543,339.00 against CAPITAL ONE BANK;
- d) Awarding Petitioner statutory damages, pursuant to 15 U.S.C. § 1692k, in the amount of \$3,543,339.00 against Stephen Crawford, CAPITAL ONE BANK CFO;
- e) Awarding Petitioner's Credit Report reflecting a zero (\$0.00) balance and any and all negative remarks deleted;
- f) Awarding Petitioner actual damages, pursuant to 15 U.S.C. § 1692k;
- g) Awarding Petitioner reasonable attorneys' fees and costs incurred in this action;
- h) Awarding Petitioner any pre-judgment and post-judgment interest as may be allowed under the law;

- i) Awarding such other and further relief as the Court may deem just and fair.

I, Henry Saunders declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. 28 USC § 1746(1)

Executed on: October 16th, 2018

By: HENRY SAUNDERS HENRY SAUNDERS
Henry Saunders
2241 PRINCE OF WALES CT
BOWIE, MD 20716
202.864.9815

Enclosed: Exhibits

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been furnished by USPS Certified Mail postage prepaid, this 16th day of October 2018 to:

CAPITAL ONE BANK c/o
CORPORATION SERVICE COMPANY
100 SHOCKOE SLIP
2ND FLOOR
RICHMOND, VA 23219

Stephen Crawford, CFO-CAPITAL ONE BANK c/o
CORPORATION SERVICE COMPANY
100 SHOCKOE SLIP
2ND FLOOR
RICHMOND, VA 23219

Mailed by: Henry SAUNDERS
Henry Saunders

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